



August 13, 2009

EDWARD G. WEIL
DEPUTY ATTORNEY GENERAL
OFFICE OF THE ATTORNEY GENERAL
P.O. BOX 70550
OAKLAND CA 94612-0550

Greetings:

This office and the Mateel Environmental Justice Foundation ("Mateel") give you notice that the private companies listed on the attached service list have been, are, will be and threaten to be in violation of Cal. Health & Safety Code § 25249.6. Both this office and Mateel are private enforcers of Proposition 65, both may be contacted at the below listed address and telephone number, and I am a responsible individual at both Mateel and this office. The above referenced violations occur when California residents come into contact with the brass valves or stopcocks on beverage dispensers such as lemonade jars, coffee urns, stock pots, coffee machines, soda machines and beverage servers, (hereinafter "brass valved beverage dispensers"), and when they drink beverages that have flowed through the leaded brass valves/stopcocks that the listed businesses market. Specific examples of the products to which this notice pertains are listed on the attached products list. Though a specific model or SKU or product number is given as an example, this notice pertains to all models, and all variations, of the specific type of product of which the named model is an example. The valves or stopcocks on these brass valved beverage dispensers are made from leaded brass, which contains lead and lead compounds ("lead"), which are chemicals known to cause cancer, birth defects and other reproductive harm. California residents are exposed to lead whenever they handle the brass valves/stopcocks, such as when serving beverages from these products, when washing them, or when drinking beverages that have flowed through the brass valves/stopcocks. Lead is transferred from the brass to peoples' hands, and to other parts of their skin. This lead is then absorbed through the skin, taken into cuts and abrasions, absorbed through mucous membranes, and transferred from the skin to the mouth via oral contact either directly with the lead-contaminated skin, and when lead is transferred from contaminated skin to cigarettes and food and the contaminated cigarettes and food are smoked and/or eaten. Lead also leaches from the brass into the beverages that flow through the brass valves/stopcocks and is then drunk. These lead exposures thus occur via the dermal absorption, subcutaneous, mucous membrane, ingestion and inhalation routes. These private businesses either market the brass spigots/faucets themselves, or market the finished beverage dispensers that utilize the brass stopcocks/faucets. The listed companies did not and do not provide people with clear and reasonable warnings before they expose them to lead. These violations have occurred every day since at least August 13, 2006, and will continue every day until the lead is removed from the brass valves/stopcocks, or until clear and reasonable warnings are given. The above-referenced violations are alleged for occupational exposures as well as for consumer and environmental exposures. We do not, however, allege occupational exposure violations as to any brass valved beverage dispenser made outside of California, except as to workplaces the companies themselves maintain in California. Exposures constituting Proposition 65 environmental exposure violations occur both on and off the companies private business properties and in each of California's 58 counties.

Cordially,

A handwritten signature in black ink, appearing to read "W. Verick".

William Verick

424 First Street, Eureka, CA 95501 • 707.268.8900 (phone) 707.268.8901 (fax)

PRODUCT LIST

DWL INDUSTRIES CO./D.W.L. INTERNATIONAL TRADING INC.

PURCHASED AT: INSTAWARES.COM

WINWARE BY WINCO STAINLESS STEEL JUICE DISPENSER WITH GOLD

PLATED ACCENT TRIM ITEM #901 UPC CODE: 812944 005658 This product description pertains not only to the specific model of the product listed, but also for all units of all models of brass valved beverage dispensers.

THE MEYER COMPANY, INC./TOMLINSON INDUSTRIES

The types of spigots/faucets that are on the following stockpots/beverage dispensers/coffee urns, regardless of whether these types of spigots are on stockpots/beverage dispensers/coffee urns other than those listed below:

VOLLRATH 2 GALLON NYNY COLD BEVERAGE/JUICE DISPENSER 92246280;

VOLLRATH 3 GALLON COFFEE URN 46093 UPC CODE: 029419 097371; VOLLRATH 40 QT. STOCK POT WITH FAUCET SERIAL # Z125-00373696-001 68641 UPC CODE: 029419 353200; VOLLRATH 32 QUART HEAVY DUTY ALUMINUM STOCK POT WITH SPIGOT PART # 68631 SKU# SOVOL68631 serial # Y329-00344456-001 UPC CODE: 029419 363187; 40 QT STOCK POT ITEM ID 68640; COFFEE URN VOL 46093 These product descriptions pertain not only to the specific model of the products listed, but also for all units of all models of brass valved beverage dispensers.

WEB INFUSIONS LLC

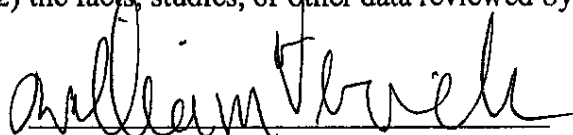
MESSINA 204 OZ GLASS JAR; POMPEII INFUSION JAR; SIENA INFUSION JAR;

VERONA MINI INFUSION JAR; CURVED NECK SPIGOT These product descriptions pertain not only to the specific model of the products listed, but also for all units of all models of brass valved beverage dispensers.

CERTIFICATE OF MERIT

I, William Verick, hereby declare: This Certificate of Merit accompanies the attached sixty-day notice(s) in which it is alleged the parties identified in the notices have violated Health and Safety Code section 25249.6 by failing to provide clear and reasonable warnings. I am the attorney for the noticing party. I have consulted with one or more persons with relevant and appropriate experience or expertise who has reviewed facts, studies, or other data regarding the exposure to the listed chemical that is the subject of the action. Based on the information obtained through those consultations, and on all other information in my possession, I believe there is a reasonable and meritorious case for the private action. I understand that "reasonable and meritorious case for the private action" means that the information provides a credible basis that all elements of the plaintiffs' case can be established and the information did not prove that the alleged violator will be able to establish any of the affirmative defenses set forth in the statute. The copy of this Certificate of Merit served on the Attorney General attaches to it factual information sufficient to establish the basis for this certificate, including the information identified in Health and Safety Code section 25249.7(h)(2), i.e., (1) the identity of the person(s) consulted with and relied on by the certifier, and (2) the facts, studies, or other data reviewed by those persons.

Dated: August 13, 2009



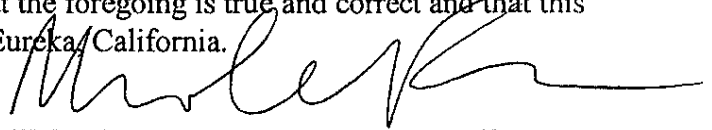
William Verick

This notice alleges the violation of Proposition 65 with respect to occupational exposures governed by the California State Plan for Occupational Safety and Health. The State Plan incorporates the provisions of Proposition 65, as approved by Federal OSHA on June 6, 1997. This approval specifically placed certain conditions on Proposition 65, including that it does not apply to the conduct of manufacturers occurring outside the State of California. The approval also provides that an employer may use the means of compliances in the general hazard communication requirements to comply with Proposition 65. It also requires that supplemental enforcement is subject to the supervision of the California Occupational Safety and Health Administration. Accordingly, any settlement, civil complaint, or substantive court orders in this matter must be submitted to the Attorney General.

CERTIFICATE OF SERVICE

I, Nicole Frank, declare:

If called, I could and would testify as follows: I am over eighteen. My business address is 424 First Street, Eureka, California, 95501. On August 13, 2009, I caused the attached 60-DAY NOTICE LETTER, or a letter identical in substance, to be served by U.S. Mail on those public enforcement agencies listed on the attached SERVICE LIST; in addition on the same date and by U.S. Mail I caused the attached 60-DAY NOTICE LETTER and PROPOSITION 65: A SUMMARY to be sent by Certified U.S. Mail to the private business entities also listed on the attached SERVICE LIST. I deposited copies of these documents in envelopes, postage pre-paid, with the U.S. Postal Service on the day on which the mail is collected. I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct and that this declaration was executed on August 13, 2009, at Eureka, California.



Nicole Frank

SERVICE LIST

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SAN FRANCISCO, CA 94102

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25 COUNTY CENTER DR.
OROVILLE, CA 95965

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ATTORNEY
COUNTY OF CALAVERAS
GOVERNMENT CENTER
891 MOUNTAIN RANCH ROAD
SAN ANDREAS, CA 95249

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547 MARKET STREET
COLUSA, CA 95932

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